

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

90th Legislative Day

April 7, 1992

PRESIDENT ROCK:

The hour of eleven-thirty having arrived, the Senate will please come to order. Will the Members be at their desks, and will our guests in the gallery please rise. Prayer this morning by the Reverend Frank O'Hara, St. Peter and Paul Catholic Church, Springfield, Illinois. Father.

THE REVEREND FRANK O'HARA:

(Prayer by the Reverend Frank O'Hara)

PRESIDENT ROCK:

Thank you, Father. Reading of the Journal, Madam Secretary. Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President, I move that reading and approval of the Journals of Tuesday, March the 31st, and Wednesday, April the 1st, in the year 1992, be postponed, pending arrival of the printed Journals.

PRESIDENT ROCK:

You've heard the motion as placed by Senator O'Daniel. Is there any discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and it is so ordered. Message from the House.

SECRETARY HAWKER:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Joint Resolution 103.

(Secretary reads HJR No. 103)

PRESIDENT ROCK:

Senator Demuzio.

SENATOR DEMUZIO:

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Thank you, Mr. President. House Joint Resolution 103, as just read by the Secretary, asks that we join the House to hear His Excellency's speech in a few minutes, and I would move the suspension of the rules and immediate adoption of House Joint Resolution 103.

PRESIDENT ROCK:

All right. Senator Demuzio has moved to suspend the rules for the immediate consideration and adoption of House Joint Resolution 103. All in favor of the Motion to Suspend, indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Demuzio now moves the adoption of House Joint Resolution 103, which calls for us to join with the House in the House Chamber at the hour of noon for the purpose of the Governor's Budget Address. All in favor, indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, Mr. President, on some information. I'd like to know when is the time for -- to Table a bill?

PRESIDENT ROCK:

Motion to Table a bill, if you are the sponsor of that bill, is always in order. Senator Vadalabene.

SENATOR VADALABENE:

Yes, Mr. President and Members of the Senate, I would like to Table Senate Bill 1587. It resides in Rules.

PRESIDENT ROCK:

All right. Senator Vadalabene has moved to discharge the Rules Committee from further consideration of Senate Bill 1587 for the purpose of Tabling. All in favor of the Motion to Discharge, indicate by saying Aye. All opposed. The Ayes have it. The bill is discharged. Senator Vadalabene now moves to Table Senate Bill 1587. Discussion? If not, all in favor, indicate by saying Aye.

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All opposed. The Ayes have it. The motion prevails, and the bill is Tabled. Messages from the House.

SECRETARY HAWKER:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Joint Resolution 95.

It is congratulatory.

And I have like Messages on House Joint Resolutions 101 and 104. All passed the House, April 1, 1992.

PRESIDENT ROCK:

Consent Calendar.

SECRETARY HAWKER:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Joint Resolution 99.

It is substantive. Adopted by the House, April 1, 1992.

PRESIDENT ROCK:

Executive. All right. Ladies and Gentlemen, we have been requested by the Governor's Office to be prompt. He will be going on radio and television live, I understand, at the hour of noon. The Committee on Escort will consist of Senators Kelly, Munizzi, Lechowicz, Davidson and Etheredge. Senators Davidson, Etheredge, Kelly, Munizzi and Lechowicz, I would ask that you meet the Governor at the front door of the House Chamber to escort him in. Committee on Escort - Senators Kelly, Munizzi, Lechowicz, Davidson and Etheredge - are to meet the Governor at the front door of the

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House Chamber. Ladies and Gentlemen, we will reconvene the Senate after the Governor's Address, to afford the opportunity for the Members to thoroughly digest the Address and respond to their constituency. The Senate will stand in recess until the hour of two o'clock. We will reconvene here on the Senate Floor at the hour of two o'clock. The Senate will stand in recess until the hour of two o'clock. The Members are asked - particularly the Escort Committee - to please go to the front door of the House Chamber and await His Excellency, the Governor. We will now stand in recess until two o'clock.

(RECESS)

(SENATE RECONVENES)

PRESIDENT ROCK:

The hour of two having arrived, the Senate will please come to order. Resolutions.

SECRETARY HAWKER:

Senate Resolution 1109 offered by Senator Smith.

Senate Resolution 1110 offered by Senator Smith.

Senate Resolution 1111 and 1112 offered by Senator J.E. Joyce.

Senate Resolution 1113 offered by Senator Munizzi and all Members.

Senate Resolution 1114 offered by Senator Luft.

Senate Resolution 1115 offered by Senator J.E. Joyce.

Senate Resolution 1116 offered by Senator Holmberg.

Senate Resolution 1117 offered by Senator Davidson.

Senate Resolution 1118 offered by Senator Topinka.

Senate Resolution 1119 offered by Senators Topinka, Geo-Karis

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and all Members.

Senate Resolutions 1120 and 1121 offered by Senator Topinka.

Senate Resolution 1122 offered by Senator Savickas.

Senate Resolution 1123 offered by Senator Savickas.

Senate Resolution 1124 offered by Senator Topinka and all Members.

Senate Resolution 1125 offered by Senator Jacobs.

Senate Resolution 1126 offered by Senator Macdonald.

Senate Resolution 1127 offered by Senator Leverenz.

Senate Joint Resolution 137 offered by Senator O'Daniel.

And Senate Joint Resolution 138 offered by Senator Topinka.

They're all congratulatory and death resolutions.

PRESIDENT ROCK:

Consent Calendar. Resolutions.

SECRETARY HAWKER:

Senate Resolution 1128 offered by Senator Demuzio and all Members.

It is congratulatory.

PRESIDENT ROCK:

Consent Calendar. Introduction of Bills.

SECRETARY HAWKER:

Senate Bill 1682 offered by Senator Kelly.

(Secretary reads title of bill)

Senate Bill 1683 offered by Senator Cullerton.

(Secretary reads title of bill)

Senate Bill 1684 offered by Senator Cullerton.

(Secretary reads title of bill)

Senate Bill 1685 offered by Senators Holmberg, Karpriel and Maitland.

(Secretary reads title of bill)

Senate Bill 1686 offered by Senator Berman.

(Secretary reads title of bill)

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Senate Bill 1687 offered by Senators Jones and Madigan.

(Secretary reads title of bill)

Senate Bill 1688 offered by Senator O'Daniel.

(Secretary reads title of bill)

Senate Bill 1689 offered by Senators del Valle and Smith.

(Secretary reads title of bill)

Senate Bill 1690 offered by Senator Smith.

(Secretary reads title of bill)

Senate Bill 1691 offered by Senator Smith.

(Secretary reads title of bill)

Senate Bill 1692 offered by Senators Smith and del Valle.

(Secretary reads title of bill)

Senate Bill 1693 offered by Senator Hawkinson.

(Secretary reads title of bill)

Senate Bill 1694 offered by Senator Severns.

(Secretary reads title of bill)

Senate Bill 1695 offered by Senator Rea.

(Secretary reads title of bill)

Senate Bill 1696 offered by Senator Marovitz.

(Secretary reads title of bill)

Senate Bill 1697 offered by Senator Marovitz.

(Secretary reads title of bill)

Senate Bill 1698 offered by Senator Cullerton.

(Secretary reads title of bill)

Senate Bill 1699 offered by Senator Etheredge.

(Secretary reads title of bill)

Senate Bill 1700 offered by Senator Severns.

(Secretary reads title of bill)

Senate Bill 1701 offered by Senators Dudycz, Topinka, Butler
and others.

(Secretary reads title of bill)

Senate Bill 1702 offered by Senators Topinka, Dudycz, Butler

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and others.

(Secretary reads title of bill)

Senate Bill 1703 offered by Senators Dudycz, Topinka, Butler and others.

(Secretary reads title of bill)

Senate Bill 1704 offered by Senators Dudycz, Topinka, Butler and others.

(Secretary reads title of bill)

Senate Bill 1705 offered by Senators Topinka, Dudycz, Butler and others.

(Secretary reads title of bill)

Senate Bill 1906 <sic> (1706) offered by Senators Topinka, Dudycz, Butler and others.

(Secretary reads title of bill)

Senate Bill 1707 offered by Senators Dudycz, Topinka, Butler and others.

(Secretary reads title of bill)

Senate Bill 1708 offered by Senator Philip.

(Secretary reads title of bill)

Senate Bill 1709 offered by Senator Philip.

(Secretary reads title of bill)

Senate Bill 1710 offered by Senator Philip.

(Secretary reads title of bill)

Senate Bill 1711 offered by Senator Philip.

(Secretary reads title of bill)

Senate Bill 1712 offered by Senator Philip.

(Secretary reads title of bill)

Senate Bill 1713 offered by Senator Philip.

(Secretary reads title of bill)

Senate Bill 1714 offered by Senator Philip.

(Secretary reads title of bill)

Senate Bill 1715 offered by Senator Etheredge.

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(Secretary reads title of bill)

Senate Bill 1716 offered by Senator Etheredge.

(Secretary reads title of bill)

Senate Bill 1717 offered by Senator Collins.

(Secretary reads title of bill)

Senate Bill 1718 offered by Senator Collins.

(Secretary reads title of bill)

Senate Bill 1719 offered by Senator Demuzio.

(Secretary reads title of bill)

Senate Bill 1720 offered by Senator Thomas Dunn.

(Secretary reads title of bill)

Senate Bill 1721 offered by Senator Thomas Dunn.

(Secretary reads title of bill)

Senate Bill 1722 offered by Senator Carroll.

(Secretary reads title of bill)

Senate Bill 1723 offered by Senator J.E. Joyce.

(Secretary reads title of bill)

Senate Bill 1724 offered by Senator Jones.

(Secretary reads title of bill)

Senate Bill 1725 offered by Senator Jones.

(Secretary reads title of bill)

Senate Bill 1726 offered by Senator Jones.

(Secretary reads title of bill)

Senate Bill 1727 offered by President Rock and Senator Philip.

(Secretary reads title of bill)

Senate Bill 1728 offered by President Rock and Senator Philip.

(Secretary reads title of bill)

Senate Bill 1729 offered by President Rock and Senator Philip.

(Secretary reads title of bill)

Senate Bill 1730 offered by Senators Demuzio, DeAngelis,
President Rock and Senator Philip.

(Secretary reads title of bill)

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Senate Bill 1731 offered by Senator Lechowicz.

(Secretary reads title of bill)

Senate Bill 1632 <sic> (1732) offered by Senator Severns.

(Secretary reads title of bill)

Senate Bill 1733 offered by President Rock.

(Secretary reads title of bill)

Senate Bill 1734 offered by Senators O'Daniel and Woodyard.

(Secretary reads title of bill)

Senate Bill 1735 offered by Senator Topinka.

(Secretary reads title of bill)

Senate Bill 1736 offered by Senator Savickas.

(Secretary reads title of bill)

Senate Bill 1737 offered by Senator Savickas.

(Secretary reads title of bill)

Senate Bill 1738 offered by Senator Savickas.

(Secretary reads title of bill)

Senate Bill 1739 offered by Senator Kelly.

(Secretary reads title of bill)

Senate Bill 1740 offered by Senator Luft.

(Secretary reads title of bill)

Senate Bill 1741 offered by Senator Thomas Dunn.

(Secretary reads title of bill)

Senate Bill 1742 offered by Senator Madigan.

(Secretary reads title of bill)

Senate Bill 1743 offered by Senators Luft and DeAngelis.

(Secretary reads title of bill)

Senate Bill 1744 offered by Senator Luft.

(Secretary reads title of bill)

Senate Bill 1745 offered by Senator Luft.

(Secretary reads title of bill)

Senate Bill 1746 offered by Senator Jacobs.

(Secretary reads title of bill)

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Senate Bill 1747 offered by Senator Jacobs.

(Secretary reads title of bill)

Senate Bill 1748 offered by Senator Jacobs.

(Secretary reads title of bill)

Senate Bill 1749 offered by Senator Berman.

(Secretary reads title of bill)

Senate Bill 1750 offered by Senator Woodyard.

(Secretary reads title of bill)

Senate Bill 1751 offered by Senator Geo-Karis.

(Secretary reads title of bill)

Senate Bill 1752 offered by Senator Geo-Karis.

(Secretary reads title of bill)

Senate Bill 1753 offered by Senator Geo-Karis.

(Secretary reads title of bill)

Senate Bill 1754 offered by Senator Geo-Karis.

(Secretary reads title of bill)

Senate Bill 1755 offered by Senator Watson.

(Secretary reads title of bill)

Senate Bill 1756 offered by Senator Cullerton.

(Secretary reads title of bill)

Senate Bill 1757 offered by Senator Davidson.

(Secretary reads title of bill)

Senate Bill 1758 offered by Senator Raica.

(Secretary reads title of bill)

Senate Bill 1759 offered by Senator Smith.

(Secretary reads title of bill)

Senate Bill 1760 offered by Senator Smith.

(Secretary reads title of bill)

Senate Bill 1761 offered by Senator Etheredge.

(Secretary reads title of bill)

Senate Bill 1762 offered by Senator Raica.

(Secretary reads title of bill)

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Senate Bill 1763 offered by Senator Mahar.

(Secretary reads title of bill)

Senate Bill 1764 offered by Senator Welch.

(Secretary reads title of bill)

Senate Bill 1765 offered by Senator Welch.

(Secretary reads title of bill)

Senate Bill 1766 offered by Senator Welch.

(Secretary reads title of bill)

Senate Bill 1767 offered by Senator Welch.

(Secretary reads title of bill)

Senate Bill 1768 offered by Senator Welch.

(Secretary reads title of bill)

Senate Bill 1769 offered by Senator Jones.

(Secretary reads title of bill)

Senate Bill 1770 offered by Senators Lechowicz, President
Rock, Senators Kelly, Marovitz and DeAngelis.

(Secretary reads title of bill)

Senate Bill 1771 offered by Senator Jones.

(Secretary reads title of bill)

Senate Bill 1772 offered by Senators Berman and Karpziel.

(Secretary reads title of bill)

Senate Bill 1773 offered by Senator Thomas Dunn.

(Secretary reads title of bill)

Senate Bill 1774 offered by Senator Raica.

(Secretary reads title of bill)

Senate Bill 1775 offered by Senator Dudycz.

(Secretary reads title of bill)

Senate Bill 1776 offered by Senator Friedland.

(Secretary reads title of bill)

Senate Bill 1777 offered by Senator Karpziel.

(Secretary reads title of bill)

Senate Bill 1778 offered by Senator Butler.

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(Secretary reads title of bill)

Senate Bill 1779 offered by Senator Macdonald.

(Secretary reads title of bill)

Senate Bill 1780 offered by Senator Woodyard.

(Secretary reads title of bill)

Senate Bill 1781 offered by Senator Raica.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDENT ROCK:

Senator Kelly, for what purpose do you arise?

SENATOR KELLY:

Thank you, Mr. President. I'd like to request leave for the Senate Executive Appointments and Veterans' Affairs Committee to consider Irving Koppel of Skokie to be a member of the Illinois Liquor Control Commission under the Governor's Message of April 1, 1992. And I would request leave for that purpose, for tomorrow's hearing.

PRESIDENT ROCK:

To be considered tomorrow morning. Without -- without objection, leave is granted. The bills that were just introduced will go to the Rules Committee. Further Introductions, Madam -- or Resolutions, I guess.

SECRETARY HAWKER:

Senate Joint Resolution Constitutional Amendment 139 offered by Senators Welch and Collins.

Senate Joint Resolution 140 offered by Senator Welch.

And Senate Joint Resolution 141 offered by President Rock.

They're all substantive.

PRESIDENT ROCK:

Executive. Resolutions.

SECRETARY HAWKER:

Senate Resolution 1129 offered by Senator Smith.

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Senate Resolution 1130 offered by Senator Lechowicz, President Rock and all Members.

Senate Resolution 1131 offered by Senator Topinka.

Senate Resolution 1132 offered by Senator Brookins.

And Senate Resolution 1133 offered by Senator Brookins.

They're all congratulatory and death resolutions.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Consent Calendar.

PRESIDENT ROCK:

Senator Vadalabene, for what purpose do you arise, sir?

SENATOR VADALABENE:

Yes. Thank you, Mr. President and Members of the Senate. There'll be a Democratic Caucus in Room 212 immediately.

PRESIDENT ROCK:

All right. Democratic Caucus immediately in 212. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, there will be a Republican Caucus - I repeat, a Republican Caucus - in Senator James "Pate" Philip's Office immediately hereafter.

PRESIDENT ROCK:

All right. Republican Caucus immediately in Senator Philip's Office; Democratic Caucus immediately in Room 212. It should not require more than twenty or twenty-five minutes. Senate will stand in recess until three o'clock.

(RECESS)

(SENATE RECONVENES)

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PRESIDENT ROCK:

All right. Ladies and Gentlemen, if I can have your attention, there's been a request to go to the Order of Motions in Writing to Accept Specific Recommendations for Change. If you'll turn to page 7 on the Calendar, three such motions have been filed. They are found at page -- bottom of page 7 and top of page 8. Motions in Writing to Accept Specific Recommendations for Change - we will get to those very shortly. I'd ask the Members to check the Calendar, and check to make sure that your keys are turned on. There's also been a request to go to the Order of House Bills 3rd Reading for the purpose of an amendment to House Bill 214. When we conclude that business, that will effectively conclude our business for the day. The Rules Committee will meet at -- immediately after adjournment in Room 212, for what I hope will be a brief meeting, and then we will reconvene here tomorrow. Executive Appointments meets at ten, so we will come into Session at one o'clock, and the Executive Committee will meet at two. But when we adjourn today, we will resume our deliberations at one o'clock tomorrow, Wednesday, April the 8th.

SENATOR GEO-KARIS:

I believe there's an Executive Appointments meeting in the morning. That's still going on isn't it?

PRESIDENT ROCK:

Oh, sure. Yes. Senator Kelly will make the announcement at the appropriate time. Introduction of Bills, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1782 offered by Senator Topinka.

(Secretary reads title of bill)

Senate Bill 1783 offered by Senators Topinka and Mahar.

(Secretary reads title of bill)

Senate Bill 1784 offered by Senators Topinka and Mahar.

(Secretary reads title of bill)

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Senate Bill 1785 offered by Senators Topinka and Mahar.

(Secretary reads title of bill)

Senate Bill 1784 <sic> (1786) offered by Senators Topinka and Mahar.

(Secretary reads title of bill)

Senate Bill 1787 offered by Senator Rea.

(Secretary reads title of bill)

Senate Bill 1788 offered by Senator Rea.

(Secretary reads title of bill)

Senate Bill 1789 offered by Senator Dudycz.

(Secretary reads title of bill)

Senate Bill 1790 offered by Senator Welch.

(Secretary reads title of bill)

Senate Bill 1791 offered by Senator Cullerton.

(Secretary reads title of bill)

Senate Bill 1792 offered by Senators Topinka and Philip.

(Secretary reads title of bill)

Senate Bill 1793 offered by Senators del Valle and Severns.

(Secretary reads title of bill)

Senate Bill 1794 offered by Senators Severns and del Valle.

(Secretary reads title of bill)

Senate Bill 1795 offered by Senator del Valle.

(Secretary reads title of bill)

Senate Bill 1796 offered by Senator Jacobs.

(Secretary reads title of bill)

Senate Bill 1797 offered by Senators Ralph Dunn and Woodyard.

(Secretary reads title of bill)

Senate Bill 1798 offered by Senator Madigan.

(Secretary reads title of bill)

Senate Bill 1799 offered by Senator Madigan.

(Secretary reads title of bill)

Senate Bill 1800 offered by Senator Marovitz.

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(Secretary reads title of bill)

Senate Bill 1801 offered by Senator Macdonald.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDENT ROCK:

Rules Committee. All right. With leave of the Body, Ladies and Gentlemen, I direct your attention to page 7 on the Calendar. Page 7 - the bottom of page 7. There have been three motions in writing filed to accept the specific recommendations of the Governor. Bottom of page 7, there's a motion filed with respect to Senate Bill 264. Madam Secretary, read the motion, please.

SECRETARY HAWKER:

I move to accept specific recommendations of the Governor as to Senate Bill 264, in manner and form as follows:

Amendment to Senate Bill 264

in Acceptance of Governor's Recommendations

Filed by Senator O'Daniel.

PRESIDENT ROCK:

Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Mr. President, Members of the Senate. The Governor's amendatory veto to Senate Bill 264 clarifies the proper tax act title necessary to insure proper tax enforcement on coin-operated amusement devices. And I would move to -- I would move to accept the amendatory veto of the Governor.

PRESIDENT ROCK:

All right. The Gentleman has moved that the Senate accept the specific recommendations of the Governor as to Senate Bill 264. Is there any discussion? Any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 264, in the manner and form just stated by Senator O'Daniel. Those in favor will vote Aye. Opposed, vote

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Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, 1 voting Present. The specific recommendations of the Governor as to Senate Bill 264, having received the required constitutional majority vote of Senators elected, are declared accepted. Top of page 8, Ladies and Gentlemen. On the regular Calendar, on the top of page 8, on the Order of Motions in Writing, there's a Motion in Writing with respect to Senate Bill 972. Read the motion, Madam Secretary, please.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to Senate Bill 972, in manner and form as follows:

Amendment to Senate Bill 972

in Acceptance of Governor's Recommendations

Filed by Senator Welch.

PRESIDENT ROCK:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. The -- the Governor made minor changes to the bill that created the Government Buildings Energy Cost Reduction Act. What the Governor did was move up the date for the completion of annual assessment of energy cost reduction opportunities from July 1 of 1993 to September 15, 1992. And -- he also changed the date for recommendations to the Governor for specific operations and maintenance procedure modifications from October 1. He also changed the language concerning agencies' annual submitting of capital development plans - deleting a requirement that the Governor's capital plan summary include a section outlining reductions determined by a National Energy Management Institute. He made it more general. I'd be glad to answer any questions; otherwise, I would move for adoption of the

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motion.

PRESIDENT ROCK:

All right. The Gentleman has moved that the Senate accept the specific recommendations of the Governor as to Senate Bill 972. Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 972, in the manner and form just stated by Senator Welch. Those in favor will vote Aye. Opposed, vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate -- specific recommendations of the Governor as to Senate Bill 972, having received the required constitutional majority vote of Senators elected, are declared accepted. Top of page 8, on this same order, there's a Motion in Writing with respect to Senate Bill 1421. Madam Secretary, read the motion, please.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to Senate Bill 1421, in manner and form as follows:

Amendment to Senate Bill 1421

in Acceptance of Governor's Recommendations

Filed by Senator Luft.

PRESIDENT ROCK:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. The Governor, with his amendatory veto, made a technical correction in the bond language of the bill, to bring the bill into conformity with other Statutes; added an effective date of July 1, 1992; and also added a sunset date of December 31, 1992, which applies to provisions regarding IDFA, or the Illinois Development Finance Authority, in the composition of a financial planning and supervising commission within that

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authority. I would ask that we adopt the specific recommendations of the Governor to Senate Bill 1421.

PRESIDENT ROCK:

All right. The Gentleman has moved the acceptance of the specific recommendations of the Governor as to Senate Bill 1421. Is there any discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you -- thank you, Mr. President. Just as a point of clarification to legislative intent. Although this does -- sets that out, the moral obligation remains with the life of the bonds.

PRESIDENT ROCK:

All right. Ladies and Gentlemen, let's get back on track here. Senator DeAngelis, would you mind repeating that question?

SENATOR DeANGELIS:

Certainly don't mind at all. The amendatory veto creates a sunset provision. Although the -- the window of opportunity is limited to six months, the moral obligations of the bonds that are issued within that period of time exists for the length of the bond.

PRESIDENT ROCK:

Senator Luft.

SENATOR LUFT:

Is that -- I'm -- I think he's just -- I think the Senator's just making a statement for the record.

PRESIDENT ROCK:

All right.

SENATOR LUFT:

So I accept that statement for the record as being factual.

PRESIDENT ROCK:

All right. Any further discussion? Further discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 1421, in the

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manner and form just stated by Senator Luft. Those in favor will vote Aye. Opposed, vote Nay. And the voting's open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The specific recommendations of the Governor as to Senate Bill 1421, having received the required constitutional majority vote of Senators elected, are declared accepted. All right. Ladies and Gentlemen, with leave of the Body, we'll turn to page 2 on the Calendar. Page 2 on the Calendar, on the Order of House Bills 3rd Reading - the top of the page - is found House Bill 214. And Senator Maitland seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 214, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Maitland.

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President and Members of the Senate. This is the issue that we dealt with -- with last week to shore up the -- the problem with the State Group Health Insurance Plan. You may recall there was some discussion last week with respect to whether or not the Balanced Budget Note had been filed. We have caused that to happen, and that has been circulated. And I would move, Mr. President, for the adoption of the amendment.

PRESIDENT ROCK:

All right. Senator Maitland has moved the adoption of Amendment No. -- Amendment No. 2 to House Bill 214. Discussion? Senator Carroll.

SENATOR CARROLL:

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Thank you, Mr. President. Some questions of the sponsor, if I might.

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Carroll.

SENATOR CARROLL:

Senator Maitland, part of our problem last week when we first addressed this was the fact that -- a concern over where the money would come from. We understood that the Governor was going to ask for supplemental appropriations in his budget, which he did do today, to the tune of some hundred and seventy-five million of General Revenue and maybe a hundred million of other funds, which includes this request as well. But we asked the question last week, and we asked it again in writing of the Governor, who referred it to the Bureau of the Budget, of two questions basically. One: Where will the money come from, particularly the cash, when we don't have that kind of cash in the bank? And two, as to those funds - those hundred and seven funds - you're seeking to transfer from: Do we, in fact, have authority to do so? I did have the occasion to ask that question of Joan Walters, Director of the Bureau of the Budget, this morning at the Democratic briefing, and her answer truly concerned me. I asked her, "Did we get okays yet so that we could move the bill today?" And her answer was, "No, we did not, and we probably won't for two to three weeks." They then gave me a chart that indicates that probably a third of these will be very difficult - using their language - to make the transfers. So who are we fooling by doing this? Unless you have other information of these hundred and seven funds, if we cannot transfer the money into the State Employees' Group Insurance to make the payments, all we are doing is telling the employees the bills will be paid, and then not having the ability to pay them. Is -- unless you know something else, is that accurate?

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PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and Members of the Senate. Senator Carroll, with respect to your first question, whether or not there is General Revenue money there to spend of the fifty-two million dollars, it is my understanding that - in line with a number of things that we have done since January - that there will be the money freed up to allow that to spend. With respect to the second question - and we debated this last week, and I understand your concern - you may recall we talked about a wide range in number of dollars that might be freed up to spend of the portion that was coming out of the special funds. The information that I have to this point is there are a number of areas that we don't know whether they can legitimately spend at this point, but there will be a range from about seventy-five million dollars on the low end up to the maximum of 100.4 million dollars that will spend. It will most likely be substantially below the hundred million dollars or the 24.4 million dollars that's in the special fund part of the amendment.

PRESIDENT ROCK:

Senator Carroll.

SENATOR CARROLL:

So that if I understand correctly, Senator Maitland, the breakdown from the Governor was something like fifty-five million in General Revenue, twenty-four million in Road Fund, and twenty-four million from other funds. And what I understand you're saying is that the twenty-four million from other funds may never exist, so that, in fact, we will not be filling the hundred-and-five-million-dollar hole, but rather only seventy-five or eighty million of that. And I think what concerns me, and several of the Members on this side, were some of the funds that

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even the Bureau claims would be difficult to transfer from: Child Support Enforcement was supposed to be contributing about a million and a half dollars; the various disciplinary funds were supposed to be contributing; Local Government Affairs Trust Fund was supposed to be contributing; the Nuclear Civil Protection Plan; the Nuclear Safety Emergency Preparedness; and the other licensing funds; special purpose trust funds; the Health and Human Services Fund; the Lottery; on and on. Are we actually going to be transferring funds -- monies from those funds to pay the Group Employees' Insurance bills, or are the employees going to still have to be paying out of their pocket?

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Senator Carroll, first of all, it's -- it's fifty-two million dollars and not fifty-four million dollars out of General Revenue, I believe. And -- and I am -- I am reliably informed by the Governor's Office that, for certain, nine million dollars from the special funds will spend without question. And that doesn't mean we can't try to capture additional dollars from those other existing funds that are in that long menu that you have -- before you. I believe, the Governor's Office believes - and I believe many others believe - that -- that this is a legitimate use of the funds to pay for the benefits that accrue to individuals who draw their resources from those particular funds.

PRESIDENT ROCK:

Senator Carroll.

SENATOR CARROLL:

Just further question that we've been asked. My understanding is there's about thirty-two or thirty-three million sitting in that account right now that could be used to pay existing State

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Employee Group Insurance bills that have gone unpaid. It's my understanding that the Department had no intention of using that thirty-two or thirty-three million dollars to meet those payments, even though many of these bills are bills going back to late last calendar year, and in some cases even last summer, that have gone unpaid. Is there any reason that the State has not used the thirty-two million or so that's in that fund that's available for -- you know, I mean, it's in that fund for that purpose and is sitting there, causing State employees to have to pay the money out of their pocket, rather than using that fund to pay the bills that it was intended to pay.

PRESIDENT ROCK:

The Gentleman has moved the adoption of Amendment No. 2. Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Senator Maitland, I do have a question. First of all, my compliments on the Balanced Budget Note. I know you spent most of the weekend writing that, so I -- let me ask you this question, and it's along the same lines as Senator Carroll. We are taking a number of amounts out of these special accounts. One that is of particular interest to me that hasn't been raised is, we are -- we are taking money out of the State's Attorneys Appellate Prosecutors County Fund. Those are county monies that are contributed to the State as match. How, constitutionally, can we then go in and -- and take these county monies that go into the State's Attorneys Appellate Prosecutors matching fund for a specific purpose, and then snag those monies for a different purpose? Can you answer that question for me?

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

Senator, I can answer the question to this extent: One of the

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-- one of the suggestions that Senator Carroll and I and Representative Ryder made last January - and I renewed that -- that -- that challenge this -- this spring - was that we would not affect the integrity of any of the funds in this menu for not only this fiscal year, but the next fiscal year.

PRESIDENT ROCK:

Senator Demuzio.

SENATOR DEMUZIO:

Well, I don't think that's the answer to the question. The question is, how can we, as a Legislature, -- how -- how do we constitutionally get our monies -- our hands on county money that goes into specific special matching funds for specific trust funds, and then we come in and then we appropriate these dollars for another purpose. And -- can you -- can you -- the -- I want to know the reason. Where, constitutionally, can we do that?

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

Senator Demuzio, as was my answer to Senator Carroll, you know that we are attacking these funds to the extent that we are -- are assessing the -- the -- the people who draw their salaries from the funds for this purpose. And it may or may not - may not - affect the short-term distribution of those funds.

PRESIDENT ROCK:

Senator Demuzio.

SENATOR DEMUZIO:

I guess, Senator, this -- this is establishing some precedent now, because this has not been done before. You're saying that the -- the assessment for the medical portion is the reason why we're going into these extra special funds. And quite frankly, I reject that notion on its face. But let me ask you this question. Senator Carroll had asked a question a minute ago, and I don't

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think you gave an answer to. When we left here last week there was a report on -- I think it was the local television station, that said that there were thirty-three million dollars left in the Insurance Fund, and that the Director of Central Management Services said that he would not allow that thirty-three million dollars to be spent, because they were withholding that for HMOs and other special agreements that they had made for payments that they would make in April, May and June. Can -- I guess I fail to see the rationale as to why we just don't go ahead and use those thirty-three million dollars to pay current bills that are -- that are backed up. What special arrangements do we have, and who's getting special treatment as a result of withholding that thirty-three million dollars for special HMOs and -- and other contractual services in April, May and June? Doesn't really make any sense to me. Can you -- can you clarify that for me?

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

Senator Demuzio, I now have the same information that you do, and it is correct. That's what the money is being held for, and that's to honor the contracts that come due in those months for those HMOs. That's the answer to the first question. Secondly - secondly - keep in mind, as we've discussed earlier, this -- what we are doing with these funds for these benefits is not new. It has been done in the past. And we are not charting a new course at all.

PRESIDENT ROCK:

Senator Demuzio.

SENATOR DEMUZIO:

Well -- excuse me, I don't want to belabor the -- the debate, but let me just say this: If what we are doing now with the individual funds is going in for that portion of -- of insurance,

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it seems to me that we ought to be going into that -- those funds for everything that we do. We ought to be going in for pencils, and papers, and -- and all kinds of other kinds of commodities, and all kinds of assessments now ought to be fair game to be leveled against these special accounts. But I guess the -- the biggest question is, is that we have some eighteen hundred State and federal trust accounts within State Government. Somewhere along the line, in this Session, the major policy question has to be, "Are we going to continue to have eighteen hundred special accounts that we can continually dip into, or at some point are we going to consolidate these accounts?" And finally, let me just say, Senator, that I disagree with the notion of the Director of Central Management Services that we are withholding thirty-three million dollars that is already on hand in their accounts; that they can pay State employees' bills right now - today - rather than having the State employees have to go to the -- to the collection offices, or having to be filed suit against, or to having to put up the twenty-five percent of the initial expenses for projected medical expenses right now. That thirty-three million dollars could be used today. And to say that we're withholding thirty-three million dollars that is sitting on hand, and has been sitting on hand for the last month and a half, to pay special contractual needs for other purposes in April, May and June -- it really isn't fair. What about the contracts that we have with our State employees? That thirty-three million dollars ought to be released today; those bills ought to be paid; and this additional money that you're attempting to get today ought to be - if it's successful - ought to be for those bills that will be coming in April, May and June. We ought to pay those bills today, regardless of this legislation. Thank you.

PRESIDENT ROCK:

Further discussion? Senator Severns.

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SENATOR SEVERNS:

Thank you, Mr. President. Would the sponsor yield for a question?

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Severns.

SENATOR SEVERNS:

Senator Maitland, is it fair to say that this is -- identical bill and it's the same proposal that the Governor approached this Senate with last -- last week or two weeks ago and mentioned in his address today?

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Senator, we -- we did substitute an amendment. It does now have an immediate effective date.

PRESIDENT ROCK:

Senator Severns.

SENATOR SEVERNS:

Specifically my question is -- well, I have many concerns about many of the transfers, especially based on Director Walters' response to the Democratic Senate -- well, to the Democratic Caucuses of the General Assembly this morning, indicating that many of the transfers were perhaps illegal and we simply didn't have the answer to that, but in my district there's not a question that is raised more often by constituents to me - and I expect it's the same in nearly every district throughout that -- throughout this entire State - is, "What happens to our Lottery dollars?" And that's why it puzzles me - in fact, disturbs me - to see that the Governor, in his proposal today, is suggesting that we make payable -- or transfer from the State Lottery Fund five hundred and sixty-one thousand dollars six hundred and four dollars. And I guess my question to you, Senator Maitland: Is

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the Governor transferring that amount from -- or proposing that we transfer that amount from the Lottery, is that from the Common School Fund? I mean, are those dollars coming right off the top of the dollars that we should be contributing to the schools of this State?

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

Senator, I -- I can appreciate the questions that you have and the other Senators have. If -- if your staff or anyone else wanted to fully explain what we are doing here, it is no different than the way, in the budgeting process during the spring, that we are already handling - handling - these payments. This, Senator, is a supplemental - is what we are doing. And we simply are going into those funds and further capturing those dollars for those purposes. Now you can call it whatever you want to, and that's fine. But -- but that's the -- that's the simple answer.

PRESIDENT ROCK:

Senator Severns.

SENATOR SEVERNS:

I guess I'm looking for a simpler answer - simply yes or no. Are these dollars contained within this bill - the five hundred and sixty-one thousand six hundred and four dollars from the Lottery Fund - coming from the schools of this State?

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

Senator, it is -- it is my understanding that -- that the dollars that we're talking about here - and you have identified them as -- as the maximum dollars that would come from this purpose - are coming from the operations side of the -- of the Lottery.

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PRESIDENT ROCK:

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President. Then, Senator Maitland, to my point: Will you add language to this amendment that says that? Because I like to see things in writing, and people in this State already feel that there's very little credibility to what has happened to the Lottery dollars in this State as it relates to the schools of this State. And I know I would feel a lot better to see this in writing, saying it's coming from our side rather than the school side when it comes to Lottery dollars and the funding of education.

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

Senator, every year we appropriate - we appropriate - the Lottery funds for schools, as you well know. We have done that. We have done that. We are not taking any money whatsoever from those funds.

PRESIDENT ROCK:

All right. Further discussion? We have a number of Members who have wished the opportunity to speak. Senator del Valle.

SENATOR DEL VALLE:

Senator Maitland, I like the idea of tapping into these designated funds. I don't think we do enough of it. You indicated that this is nothing new, and that what we're doing is we're taking a percentage of the health insurance costs for employees that have a tie to these funds -- that do some work related to these funds. Is that correct? My question then is, are we -- is this something new? If it isn't, are we going to continue to do this? Is this action also included in the budget that the Governor presented today? Are we going to do this on a

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one-shot basis, or are we going to continue to charge these funds for their share of the health insurance costs for the employees that work with these funds?

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Senator, this is not new ground in our annual budget that we pass every year. What is new is that we have not in the past been doing it in the supplemental, and it would be my hope that we would not only do it now, but continue to do it this way in whatever supplementals may come down the pike.

PRESIDENT ROCK:

Further discussion? Senator Palmer. Senator Vadalabene, for what purpose do you arise, sir?

SENATOR VADALABENE:

Next.

PRESIDENT ROCK:

Next. Okay. Senator Palmer.

SENATOR PALMER:

Mr. President, will the sponsor yield for a question?

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Palmer.

SENATOR PALMER:

Senator Maitland, I'd like to go on with what Senator Severns raised. I'm very concerned when I look under State Board of Education and I see a request for around thirty thousand dollars from the Job Training Partnership Act and then, on to the next page, for the Board of Higher Education, the Higher Education Title II Fund. Is that adult education money?

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

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Senator Palmer, it is my -- I am in receipt of -- of -- of a letter that -- that Superintendent Leininger has -- has submitted that concerns how those monies are spent and whether or not we have the authority to do it, because they are, in some respects, federal dollars, and -- and they are responsible for an audit of those funds. And I don't think we know the answer now, as to whether or not those funds can be -- can be accessed. I think the Governor's Office and I and others believe that they can, but we need to get an answer to that before those funds are tapped.

PRESIDENT ROCK:

Senator Palmer.

SENATOR PALMER:

I would very much like to have more information about that. I would appreciate it, because I would hope that it would not come directly from monies that go to job training and to adult education recipients. Thank you.

PRESIDENT ROCK:

Further discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yes. Senator Maitland, would -- would he yield to a question, please?

PRESIDENT ROCK:

He indicates he will yield, Senator.

SENATOR VADALABENE:

Yeah. Senator Maitland, this morning I attended the Bureau of the Budget presentation - this morning. And I asked the Director if there was any -- any diversion on the Road Fund money, and she said there was not in this budget. Do you have it today? Do you have any diversion on the Road Fund monies? And how much, if any? Senator Maitland.

PRESIDENT ROCK:

Senator Maitland.

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SENATOR MAITLAND:

Thank you, Mr. President. Senator, keep in mind this is coming off after the split is made from -- from the State Road Fund side, and it has no more an effect on projects or other things that are paid for from the Road Fund than we have in our annual spring budget for IDOT. Again, we are -- are doing this now, in the supplemental, just as we have done it in the past, in the -- in the major appropriation bill in the spring.

PRESIDENT ROCK:

Senator Vadalabene.

SENATOR VADALABENE:

Yes. Senator Maitland, isn't the twenty-four million dollars really coming out of the Road Fund?

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Yes, sir, it is.

PRESIDENT ROCK:

Senator Vadalabene.

SENATOR VADALABENE:

Yes. We've been told that every dollar that comes out we meet -- we lose five dollars in projects. You -- are you aware of that?

PRESIDENT ROCK:

All right. Further discussion? Further discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor.

PRESIDENT ROCK:

He indicates he will yield.

SENATOR COLLINS:

Senator, just for clarification, are there any -- I mean, did

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anyone do -- first of all, does these funds come out of operations or does it -- for these different funding entities? These funds are set aside for certain kinds of -- of -- of projects. Does it come out of administration and operation, or does it come out of direct services?

PRESIDENT ROCK:

Senator Maitland.

SENATOR COLLINS:

Or projects?

SENATOR MAITLAND:

Thank you, Mr. President. Yes, ma'am, they come out of operations.

PRESIDENT ROCK:

Senator Collins.

SENATOR COLLINS:

So that -- am I correct to say, then, that the fiscal impact of this bill -- I mean, there would be no direct fiscal impact - negative impact - on any services or -- or projects which are currently on line for operations in this fiscal year, after this bill is passed?

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Yes, ma'am, that is true. They are playing <sic> for employees' benefits.

PRESIDENT ROCK:

Senator Collins.

SENATOR COLLINS:

As to the Lottery - 'cause I most certainly don't want to confuse or -- the people out there anymore about this Lottery - are we talking about Lottery funds that goes into education, or are we talking about Lottery funds that are held in reserves of

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uncollected prizes and monies of operations, or are we talking about just revenue coming in for the Lottery?

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Senator Collins, once again, this money does not affect that which was appropriated to the Common School Fund. This only affects the operation sides - the expense side - of the Lottery.

PRESIDENT ROCK:

Further discussion? Senator Alexander.

SENATOR ALEXANDER:

Thank you, Mr. President. Will the sponsor yield?

PRESIDENT ROCK:

Indicates he will yield, Senator Alexander.

SENATOR ALEXANDER:

Thank you. Am I to understand, Senator Maitland, that the possibility of the transfer, or the passage of this legislation, and the monies being available, that there are some difficulties with some of the agencies being a part of this new pot of money in this supplement? There is some that we may not be able to get the money out of, and therefore, this bill or amendment is defective in the beginning because there is no purity or pristine situation with regards to the pots of money that are presently here, because someplace you list some of them are difficult - possibly we can get the money? What is the position we're supposed to take now, if we pass this piece of legislation? That there still is going to be a deficit there. Could you explain that to me a little bit better?

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

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Thank you, Mr. President. Senator, I -- I will admit to you I -- I may be a little bit confused by -- by your question, but let me -- let me answer it as I thought you stated it, and if I -- if I miss it, I apologize. As I indicated before, there is a long list - a long menu - of -- of funds that -- that are possibility -- that can possibly be used for this purpose. If there are funds that, for whatever reason, are illegal -- or it is illegal for us to use for this purpose, then we won't do that. It's my understanding - my belief - that the Governor has made a commitment that they will watch these and monitor this -- this very carefully and not -- and not use any of the funds if there's any reason to believe that they -- they can't be used for this purpose.

PRESIDENT ROCK:

Senator Alexander.

SENATOR ALEXANDER:

Then we are being asked to pass on this supplemental budget, not with a clear knowledge - and I understand your response - that the monies will be forthcoming, because - as you just said - there's a possibility that they won't be coming. So we're going to pass a supplement to a need we have that is a possibility more likely deficient before we even get out there. It doesn't make sense. It really doesn't. That -- that's just a statement I'm making, not requiring a response. It doesn't make sense to pass something that's defective before we get started with it.

PRESIDENT ROCK:

Further discussion? Further discussion on Amendment No. 2?
Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senator Maitland, I don't believe there's anybody in this Chamber that is not behind the purpose of this amendment. The concern on

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this side of the aisle is as far as if -- is the money really there to pay for the medical care for the State employees? No one wants to see the employees go through what they have been going through since December of last year, in trying to have their bills paid by the State. Let me -- now -- this afternoon I asked Dawn Clark Netsch, the Comptroller, how much money was there actually in the GRF Fund, and the figure that she gave to me at that time was a lot less than it is available today than what you're asking for in this bill. And I was wondering if there's something that -- that the administration is contemplating of coming in with this type of a balance of fifty-two million dollars to be transferred. So could I ask you if you know what the current figure is on GRF? And if -- if you -- I'll stop there.

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Senator, I think you know, as well as I do, that -- that the day-to-day balance in the General Revenue Fund makes dramatic changes. There are cyclic things that happen periodically throughout the month that cause a great drawdown on that fund. So you may have asked her on a low day; I may ask her on a high day. The fact of the matter is, we were here in January to put this budget back in balance, and I think we did that. That exercise then, plus - I might add - the pleasing sight that in the month of March revenue now starts to approach what our projections were, will, yes, free up this money to make it available for this purpose.

PRESIDENT ROCK:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. But the money is not there today. Is that correct?

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PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

Well, Senator, I'm not going -- I'm not going to walk into that trap. Obviously, the Comptroller holds -- holds checks and they are paid when the money is there to pay them. And I indicated before that you can't look at it on a day-to-day basis. We believe that in the next three months the money will be there to make the payments, and that's what we are doing today. And I -- I think you understand that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

We just don't -- I don't think we want to have a kiting problem here in the State. The other portion of this amendment calls for 23.8 million dollars in Road funds and 24.6 million in other funds, and I share Senator Carroll's concern, as far as the possibility of not having that type of money available from these other funds. May I ask you: What's the amount of support you expect to receive from the Child Support Enforcement Fund, and whose approval do we have to receive in order to use that money? Child Support Enforcement Fund.

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

Senator, I can't -- I can't answer that question specifically. I, for one, don't know what of those funds will spend and what -- and what won't. I have indicated to you that the Governor's Office is reasonably sure that nine million dollars from that entire menu can be spent easily, and each and every other fund will be looked at carefully and will be -- be used for this purpose only if it legitimately can be used.

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PRESIDENT ROCK:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I'll be very brief now, because that really doesn't answer my concern. But just for the record, I am concerned about the use of the Child Support Enforcement Fund; I am concerned about using the Drug Drugged -- Drunk/Drugged Driving Fund; I am concerned about using the Federal Moderate Rehab Housing Fund; the Federal Energy Fund; the Fire Prevention Fund, which has a totally separate funding source, which the monies goes to some municipalities around this State; the Illinois Medical Disciplinary Fund; the Illinois Pharmacy Disciplinary Fund; the Local Government Affairs Trust Fund; the Motor Fuel Tax Fund; the Old Age Survivors Insurance Fund; Public Health Services Fund; as well as the SBE Federal Department of Education; and the Unemployment Comp's -- Special Administration Fund. And I just found it rather ironic - and I didn't mention this fund earlier - that we were not able to provide energy assistance to a lot of poor people in this State because of the lack of funds, in the earlier budget - and people were without heat - and now were transferring money from that fund for this purpose. And my concern, just for the record, and I asked for the fiscal note, but I know this is an appropriation matter - a supplemental appropriation, as well - so it may not be germane, but the germaneness in my mind is that we should come in with a supplemental appropriation for this purpose, because people haven't been -- haven't had their medical insurance paid for the past six months - and that's wrong. But I think that this is also wrong. The type of funds that you're asking for are not available. Thank you, Mr. President.

PRESIDENT ROCK:

All right. Is there any further discussion? Senator

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Maitland, you wish to close?

SENATOR MAITLAND:

Thank you very much, Mr. President. I'd appreciate a favorable roll call.

PRESIDENT ROCK:

All right. The question is the adoption of Amendment No. 2 to House Bill 214. Senator Maitland has moved the adoption of Amendment No. 2 to House Bill 214. Those in favor will vote Aye. Opposed, vote Nay. And the voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 40 Ayes, 3 Nays, 1 voting Present. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

Amendment No. 3 offered by Senator Jacobs.

PRESIDENT ROCK:

Senator Jacobs, Amendment No. 3.

SENATOR JACOBS:

Thank you, Mr. President. This amendment appropriates existing and estimated riverboat gambling receipts in excess of the original projections. There's currently 5.5 million in unanticipated receipts, and the Gaming Board estimates this number will increase to eleven million by the end of the year. And what it does, it appropriates three million dollars to the municipalities through the projected distribution and eight million dollars to the Education and Technical Assistance Fund -- or -- excuse me, Education Assistance Fund, as called for by law, and it's just a matter of the legislation needed in order to appropriate the funds.

PRESIDENT ROCK:

All right. Senator Jacobs has moved the adoption of Amendment No. 3 to House Bill 214. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The

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amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

All right. There's been a request for a fiscal note filed on House Bill 214, as amended. Filed by Senator Lechowicz. The Chair is prepared to rule that that request is out of order, insofar as Chapter 63, Section 42, calls -- excepts those bills making a direct appropriation. That, in my judgment, is such a bill, and so that request is out of order. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. All right. Ladies and Gentlemen, that effectively concludes our business for this afternoon. Are there any announcements? The Rules Committee has been canceled. The Rules Committee will not meet. The Rules Committee is going to meet at 11:30 tomorrow morning in Room 212. In the meantime, Senator Philip and I have appointed Senators Demuzio and Senator Weaver as a subcommittee of four to listen to your requests, so take 'em to the right church. Rules Committee will meet at 11:30 tomorrow morning. Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. There is a meeting tomorrow at ten o'clock of the Executive Appointments and Veterans' Affairs Committee. It'll be in Room 212. We'll appreciate your being there promptly, so we can conclude our business in due course.

PRESIDENT ROCK:

All right. Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President. I'm just -- want to announce that the State Government Organization and Administration Committee's

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informational hearing on environmental agencies has been postponed.

PRESIDENT ROCK:

All right. Committee of State Government Reorganization <sic> has been postponed. Rules at 11:30 tomorrow. The Senate will stand adjourned until tomorrow at the hour of one o'clock. Yes, I have been -- the Chair has stood corrected. Senators Weaver and Demuzio have been drafted - appointed - anointed - to handle that awesome responsibility. Senate stands adjourned till one o'clock tomorrow. What's the matter? Senator Geo-Karis, one last time.

SENATOR GEO-KARIS:

Thank you. Mr. President, I'd like to recommit a bill back to the Local Governments Committee, if I may. And that's Senate Bill -- I mean House Bill 1852, I believe.

PRESIDENT ROCK:

Okay. All right. There is -- with leave of the Body, we'll move to House Bills 2nd Reading, page 3 on the Calendar. Senator Geo-Karis moves to rerefer House Bill 1852 to the Committee on Local Government. Without objection, the motion carries. It is so ordered.

SENATOR GEO-KARIS:

Thank you.

PRESIDENT ROCK:

Further business? If not, Ladies and Gentlemen, the Senate stands adjourned till one o'clock tomorrow. Senate stands adjourned.

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